

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

CASE NO. 15-mj-30088

vs.

VIOREL PRICOP,

Defendant.

**SECOND STIPULATION TO ADJOURN PRELIMINARY EXAMINATION
AND FIND EXCLUDABLE DELAY UNDER THE SPEEDY TRIAL ACT**

The United States of America and Defendant VIOREL PRICOP
("Defendant"), through their respective counsel, stipulate and agree that there is
good cause to adjourn the Preliminary Examination in this case until August 12,
2016. *See* Fed. R. Crim. P. 5.1(d). This extension of time is necessary to allow the
parties to continue to investigate the facts of this case and engage in pre-indictment
plea negotiations. Defendant, through counsel, concurs in this request and agrees
that an extension of time is in his best interest.

The parties stipulate and agree that this Stipulation and any order resulting
therefrom shall not affect any previous order of pretrial detention or pretrial release.

The parties also stipulate and agree that the period from July 8, 2016, through August 12, 2016, should be excluded in calculating the time within which an information or indictment must be filed under the Speedy Trial Act because, for the reasons set forth herein, the parties are engaged in plea negotiations. 18 U.S.C. § 3161(h)(1).

Additionally, the parties agree that the adjournment from July 8, 2016, through August 12, 2016, would serve the ends of justice, and that the failure to grant this continuance “would deny counsel for the Defendant . . . the reasonable time necessary for effective preparation, taking into account the exercise of due diligence.” 18 U.S.C. § 3161(h)(7)(B)(iv). Therefore, “the ends of justice served” by the granting of such continuance will “outweigh the best interest of the public and the [D]efendant in a speedy trial.” 18 U.S.C. § 3161(h)(7)(A).

Accordingly, the parties request that the Court find that, under the Speedy Trial Act, Title 18, United States Code, Sections 3161(h)(1) and (h)(7)(A), the period of delay, as a result of the continuance, shall be excluded in computing the time within which an information or indictment must be filed.

IT IS SO STIPULATED.

s / Adriana N. Dydell
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Dated: July 7, 2016

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_____ /

ORDER ADJOURNING PRELIMINARY EXAMINATION

This matter coming before the court on the stipulation of the parties, it is hereby **ORDERED** that good cause exists to continue the Preliminary Examination in this case from July 8, 2016, through August 12, 2016, at 1:00 p.m. *See* Fed. R. Crim. P. 5.1(d).

IT IS FURTHER ORDERED that the period from July 8, 2016 up to and through the new date of the preliminary examination, August 12, 2016, shall be excluded in calculating the time within which an information or indictment must be filed because the parties are actively engaged in plea negotiations and because, for the reasons set forth in the parties' stipulation, the ends of justice served by such

continuance outweigh the interests of the public and the Defendant in a speedy trial.

See 18 U.S.C. §§ 3161(h)(1) & (h)(7).

IT IS SO ORDERED.

Dated: July 8, 2016

s/Anthony P. Patti
HONORABLE ANTHONY P. PATTI
United States Magistrate Judge